

AO 91 (Rev. 11/11) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the

District of New Mexico

United States of America

v.

Hector Alonso MORENO-Vargas

Case No. 25-974 MJ

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 28, 2025 in the county of Luna in the  
State and District of New Mexico, the defendant(s) violated:

## Code Section

## Offense Description

Count 1: 8 USC 1325(a)(1)

Entry or attempted by an alien into the United States at a time or place other than as designated by immigration officers.

Count 2: 50 USC 797

Penalty for violation of security regulations and orders

This criminal complaint is based on these facts:

The defendant was encountered by Border Patrol Agents on April 28, 2025 in Luna County, New Mexico. When questioned as to his citizenship, the defendant admitted to being a citizen of Mexico without authorization to enter or remain in the United States. The defendant stated that he last entered the United States by illegally crossing the border near Santa Teresa, New Mexico in Dona Ana County on April 27, 2025 at a place not designated as a lawful port of ent

☒ Continued on the attached sheet.


Complainant's signature

Adam Bloomfield, Agent

Printed name and title

Electronically submitted and telephonically sworn to before me:

Date:

4/29/25



Judge's signature

City and state: Las Cruces, New Mexico

Gregory J. Fouratt, United States Magistrate Judge

Printed name and title

CONTINUATION OF CRIMINAL COMPLAINT

STATE AND DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA

V.

MORENO-Vargas, Hector

**Continuation of Statement of Facts:**

COUNT 2: Title 50 United States Code 797 prohibits the willful violation of any defense property security regulation. Section 797 defines a "defense property security regulation" as a property security regulation that pursuant to lawful authority--

(a)(2)(A) shall be or has been promulgated or approved by the Secretary of Defense (or by a military commander designated by the Secretary of Defense or by a military officer, or a civilian officer or employee of the Department of Defense, holding a senior Department of Defense director position designated by the Secretary of Defense) for the protection or security of Department of Defense property"

(a)(3)(A) relating to . . .the ingress thereto or egress or removal of persons therefrom.

The term "Department of Defense property" means property subject to the administration or in the custody of the Department of Defense. On April 15, 2025, the Department of Interior transferred Federal lands including the approximately 60-foot strip of land contiguous to and parallel with the international border between the United States and Mexico (the "Roosevelt Reservation") in Doña Ana, Luna and Hidalgo Counties in New Mexico to the jurisdiction of the Department of the Army. See Public Land Order No. 7963. On April 18, 2025, the Secretary of the Army assigned the above-described Federal lands to United States Army Garrison Fort Huachuca for use as National Defense Areas (hereinafter NM National Defense Areas). U.S. Army General Order No. 2025-10. On April 18, 2025, the military commander at Fort Huachuca issued a security regulation designating the NM National Defense Areas as both a restricted area and a controlled area under Army Regulation 190-13 prohibiting the unauthorized entry into the National Defense Areas.

On April 27, 2025, when illegally entering the United States from Mexico in Dona Ana County, New Mexico, Defendant willfully violated the security regulation prohibiting unauthorized entry of property subject to the administration or in the custody of Fort Huachuca by Defendant's unauthorized entry into the NM National Defense Areas. On April 24, 2025, signs were posted in the NM National Defense Areas stating in both English and Spanish that this is a restricted area, and that unauthorized entry is prohibited.

Based on the facts alleged in this criminal complaint, there is probable cause to believe that Defendant violated 50 U.S.C. § 797 by willfully violating a security regulation or order prohibiting unauthorized entry onto the NM National Defense Areas.

**Continuation of Statutory Language:**

  
\_\_\_\_\_  
Signature of Judicial Officer

  
\_\_\_\_\_  
Signature of Complainant  
Adam Bloomfield, Agent  
Filing Agent